

Monte J. White & Associates, PC
Monte J. White
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

IN RE:

Irvin Stanley Frazier	§ CASE NO. 11-10102-RLJ-13
and	§
Robin Wendy Frazier	§ HEARING DATE: 10/2/2013
DEBTOR(s)	§ HEARING TIME: 11:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 08/30/2013

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 3/30/2011
2. Date of Section 341 Meeting: 5/11/2011
3. First Payment Date: 4/29/2011
4. Date of Confirmation: 6/21/2011
5. Total Plan Term Prior to this Modification: 57
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 29
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 31 (in modified plan)
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 10/29/2013
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$30,183.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$27,837.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: NONE (paid ahead)
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders: TRCC 12/21/2011

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

INCREASE monthly payment from \$1,031.00 per month to \$1,195.00 per month
(must coincide with resume date shown in item 9 above)

Extend months from 57 months to 60 months (not to exceed 60 calendar months
from month of First Payment Date)

Any arrears indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$1,195.00 will resume on or before 10/29/2013 for 31 (in modified plan) months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$58,767.00 to \$66,944.00

If the base amount has changed complete the following:

1. Total Paid in as of the month prior to Modification Approval:	\$29,899.00
2. (+)Plus Total Payments to be made through the Remainder of Plan: (Making up any arrears in item 9 above)	\$37,045.00
3. (=) New Base Amount	<u>\$66,944.00</u>

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2006-1. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO
CodeName Class Amount Collateral Value Interest Treatment

CT	S-Ocwen Loan Servicing	Pre-petition home arrears	\$6,564.81	\$137.91 per month
CT	S-Homeplus	Pre-petition arrears	\$5,448.32	\$104.16 per month
CT	S-Americredit Financial	2010 Dodge Ram	\$28,710.67	\$557.77 per month
A	S-New York Mellon Trust Company per AO entered 7/2/2013	Post-petition home arrears	\$5,829.99	\$188.06 per month
A	S-Lacks Stores per AO entered 8/29/2013	Furniture	\$2,633.73	\$73.99 per month

Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee.

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Add secured debt per AO's entered with the Court with New York Mellon Trust Company on 7/2/2013 and Lacks Stores on 8/29/2013.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation has been served by me on 08/30/2013, on all parties on the attached matrix, by ECF and/or United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for Local Noticing

Lack's Stores, Inc.

Taylor CAD

0539-1

P.O. Box 33158

co Michael Reed

Case 11-10102-rlj13

San Antonio, TX 78265-3158

P.O. Box 1269

Northern District of Texas

Round Rock, TX 78680-1269

Abilene

Fri Aug 23 13:10:53 CDT 2013

United States Trustee

306 Federal Building

Abilene Diagnostic Clinic

1100 Commerce Street

1205 Texas Avenue

PO Box 5409

Room 976

Lubbock, TX 79401-4037

Abilene, TX 79608-5409

Dallas, TX 75242-0996

(p)AMERICREDIT

Americredit

At & T

PO BOX 183853

Po Box 181145

P.O. Box 930170

ARLINGTON TX 76096-3853

Arlington, TX 76096-1145

Dallas, Tx 75393-0170

Celink

Central Fin

Cr Syst Intr

2143 S Sepulveda B

3424 North First

1277 Country Club

Los Angeles, CA 90025-5733

Abilene, TX 79603-6912

Fort Worth, TX 76112-2304

GMAC Mortgage, LLC

GMAC Mortgage, LLC

Hendrick Medical Center

GRANT M. TABOR, ESQ.

c/o Pite Duncan LLP

Collection Department

PITE DUNCAN, LLP

550 Westcott, Suite 560

1900 Pine Street

4375 Jutland Drive, Suite 200

Houston, TX 77007-9000

Abilene, Texas 79601-2432

P.O. Box 17933

San Diego, CA 92177-7921

Homeplus Fin

Homeplus Finance Corporation

Home Comings Financial

2143 S Sepulveda B

2143 South Sepulveda Boulevard

Attention: Bankruptcy Dept

Los Angeles, CA 90025-5733

2nd Floor

1100 Virginia Drive

Los Angeles, CA 90025-5733

Fort Washington, PA 19034-3204

Homeplus Finance Corporation

(p) INTERNAL REVENUE SERVICE

Lack's Stores, Inc.

600 LAIRPORT STREET

CENTRALIZED INSOLVENCY OPERATIONS

Attn: Bankruptcy/Legal Dept.

EL SEGUNDO, CA 90245-5004

PO BOX 7346

P.O. Box 33158

PHILADELPHIA PA 19101-7346

San Antonio, TX 78265-3158

Lacks Furn

(p)MICHAEL REED OR LEE GORDON

Monte J. White & Associates, P.C.

2391 Ne Loop Suite 201

PO BOX 1269

402 Cypress, Suite 310

San Antonio, TX 78217

ROUND ROCK TX 78680-1269

Abilene, TX 79601-5151

Service Bureau Inc

Stream Energy

TXU Energy Retail Company LLC

2705 81st St

P.O. Box 650026

CO Bankruptcy Department

Lubbock, TX 79423-2229

Dallas, TX 75265-0026

PO Box 650393

Dallas TX 75265-0393

Taylor Co. Central Appraisal District

The Bank of New York Mellon

The Bank of New York Mellon Trust Company, N

1534 South Treadaway Blvd

Ocwen Loan Servicing, LLC

c/o GMAC Mortgage, LLC

Abilene, TX 79602-4927

ATTN: Bankruptcy Department

ATTN: Bankruptcy Department

1100 Virginia Drive Suite 175

1100 Virginia Drive

Ft. Washington, PA 19034-3204

Ft. Washington, PA 19034-3204

(p) TXU ENERGY RETAIL COMPANY LP
 CO BANKRUPTCY DEPARTMENT
 PO BOX 650393
 DALLAS TX 75265-0393

Irvin Stanley Frazier
 1550 Longbotham
 Abilene, TX 79602-4026

Pamela Jean Chaney
 Monte J. White & Associates, P.C.
 American State Building
 402 Cypress, Ste. 310
 Abilene, TX 79601-5151

Robin Wendy Frazier
 1550 Longbotham
 Abilene, TX 79602-4026

Walter 12,13 OCheskey
 6308 Iola Avenue
 Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

AmeriCredit Financial Services, Inc.
 PO Box 183853
 Arlington, TX 76096

IRS Special Procedures
 Mail Code 5020-DAL
 1100 Commerce St, Room 9B8
 Dallas, TX 75242

(d) Internal Revenue Service
 PO Box 21126
 Philadelphia, PA 19114

Michael Reed
 McCreary Veselka, Bragg & Allen P.C.
 PO Box 1269
 Round Rock, TX 78680

Txu Energy
 200 W John Carpenter Fwy
 Irving, TX 75039

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) GMAC Mortgage, LLC

(u) The Bank of New York Mellon Trust Company

(u) The Bank of New York Mellon Trust Company,

(du) The Bank of New York Mellon Trust Company

(d) Lack's Stores, Inc.
 P.O. Box 33158
 San Antonio, TX 78265-3158

(d) Taylor CAD
 co Michael Reed
 P.O. Box 1269
 Round Rock, TX 78680-1269

End of Label Matrix

Mailable recipients	34
Bypassed recipients	6
Total	40